

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:14CR350
vs.) ORDER
DANIEL GOYNES,)
Defendant.)

This matter is before the court on the motion of defendant Daniel Goynes (Goynes) for release from detention (Filing No. 29). Goynes is charged in the Indictment with the possession of 28 grams or more of “crack” cocaine on June 28 and June 30, 2014, and the possession with intent to distribute “crack” cocaine on July 11, 2014, all in violation of 21 U.S.C. § 841(a)(1) with each count carrying a penalty of not less than five nor more than forty years imprisonment. Goynes is also charged with the possession of a firearm during and in relation to a drug trafficking offense in violation of 18 U.S.C. § 924(c) carrying a mandatory minimum sentence of five years imprisonment and a maximum of life imprisonment consecutive any sentence received on the “crack” cocaine charges. Goynes was detained following a detention hearing on October 2, 2014 (Filing Nos. 15 and 16). Goynes now seeks release as set forth in his motion.

The Complaint in this matter (Filing No. 1) sets forth how Goynes sold "crack" cocaine to a confidential source (CS) for the ATF at Goynes' residence where he resided with his mother, siblings, and two children. In the last transaction, Goynes also sold the CS a handgun for \$470. The Pretrial Services report (Filing No. 7 - Sealed) reveals a spotty employment history and a substance abuse history. Goynes has a substantial criminal history including failures to appear, weapons charges, and drug charges. Goynes has a plethora of charges related to driving offenses including driving while under suspension. Further, Goynes was on probation in Nebraska during the time of the charges in this case. Goynes' suggested release conditions do not reasonably assure the safety of the community if he were released. The motion for release (Filing No. 29) is denied.

IT IS SO ORDERED.

DATED this 7th day of January, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge